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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,822	07/08/2005	Christophe Mathieu	003D.0045.U1(US)	2414
29683	7590	07/05/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			WIMER, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/521,822

Applicant(s)

MATHIEU, CHRISTOPHE

Examiner

Michael C. Wimer

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-10 is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/8/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/21/2005</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 1, line 3, the language, "on both contact zones" is unclear and undefined in terms of a clear interrelationship of structure. For example, it is unclear where the contact zones are defined. Are they on the loop, other structure or a combination thereof? The claims do not make it clear if the loop is an open or a closed loop, and therefore the positioning of the capacitor cannot be determined from Claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (6018298) in view of Imaichi et al. (5108822).

Regarding Claim 1, Endo et al. show in Fig. 13, for example, a coupling antenna 74 comprising at least one loop 78 present on a support 77 and connected to a

capacitor 79a,b present on the support 77, the capacitor 79a,b mounted in parallel on both contact zones (defined as the ends of the coil) of the antenna, where the antenna and capacitor are printed on the support, via etching. No gravure printing appears to be disclosed. Thus, Imaichi et al are cited as evidence of obviousness and as resolving the level of ordinary skill in the antenna art, and teaches in col. 1, lines 12-37, the use of gravure printing to print the coil antenna and capacitor on the substrate in a resonant tag structure, as set forth in col. 4, third paragraph of Imaichi et al. It would have been obvious to the skilled artisan to employ such a printing type in the Endo et al. antenna system for the purpose of forming a resonant tag structure.

Regarding Claim 2, a skilled artisan would have formed the loop as any number of loops including a single turn in a particular resonant tag system.

Regarding Claim 3, the frequency of operation is an obvious one because the frequency bands at which resonant tags operate are assigned by the FCC.

Regarding Claim 4, the thickness of insulation between the electrodes in the Endo et al. structure is a matter of stock-shelf materials capable of supporting the resonant tag structures in a particular application. No unexpected results obtain when using the claimed thickness. See col. 4, fourth paragraph of Imaichi et al.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (6018298) in view of Imaichi et al. (5108822) as applied to claims 1-4 above, and further in view of Gallagher et al. (6072383).

Regarding Claim 5, no IC appears to be disclosed in the primary reference devices. However, IC's are routinely used in RFID tag structures as evidenced by Gallagher et al. It would have been obvious to the skilled artisan to employ an active chip in the RFID of the primary reference devices, or alternatively, employ the antenna structure presented in the primary reference devices in the Gallagher et al. system.

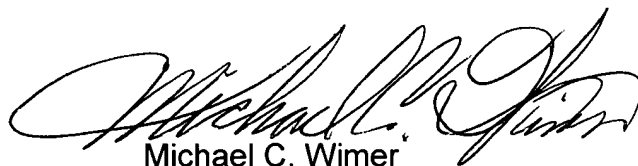
Allowable Subject Matter

6. Claims 6-10 are allowed.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wimer whose telephone number is (571) 272-1833. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minsun O. Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2828

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Michael C. Wimer", is positioned above the printed name.

Michael C. Wimer
Primary Examiner
Art Unit 2828

5/23/2006
MCW